

REMARKS

After the above amendments, claims 1, 3-6, 8-10, and 11-14 are pending. Claims 1, 6, and 11 are independent.

In the Office Action dated February 23, 2005, the Examiner rejected claims 1-2 and 6-7 under 35 U.S.C. 102(b) as being anticipated by Imaizumi et al. and claims 1, 3, 5-6, 8, and 10 were also rejected under 35 U.S.C. 102(b) as being anticipated by Leo et al. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leo et al.

Applicant has amended independent claims 1 and 6. More specifically, claim 1 now recites the limitation of **“a substantially arcuate front end of the separating claw having a top surface, a bottom surface, and rounded corners, and a chamfered contact portion that angles downwardly between the top and bottom surfaces.”** Claim 6 now recites the limitation of **“a separating claw having a substantially arcuate front end with a top surface, a bottom surface, and rounded corners, and a chamfered contact portion that angles downwardly between the top and bottom surfaces.”**

Applicant has also added new claims 11-14. In particular, independent claim 11 recites **“a substantially arcuate front end of the separating claw having a top surface, a bottom surface, and rounded corners, and a chamfered contact portion that extends downwardly at an angle of about 45° between the top and bottom surfaces.”** Applicant believes that these claims are allowable.

Applicant has carefully reviewed the rejections, and respectfully requests reconsideration in view of the above amendments and the following remarks.

I. Rejections under 35 U.S.C. § 102(b) Imaizumi et al. patent

Claims 1-2 and 6-7 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Imaizumi et al. Applicant has amended independent claims 1 and 6, to incorporate the limitations of dependent claims 2 and 7, respectively, as well as to clarify the scope of the claims, and asserts that these claims are now allowable.

In particular, claims 1 now recites **“a chamfered contact portion that angles downwardly between the top and bottom surfaces.”** Claim 6 now recites the limitation of **“a chamfered contact portion that angles downwardly between the top and bottom surfaces.”** The Imaizumi et al. patent, in contrast, does not disclose a separating claw having a chamfered contact portion

that angles downwardly between top and bottom surfaces. The Imaizumi et al. patent in FIG. 5 discloses a separating member having top and bottom surfaces forming a pointed tip; however, a chamfered contact portion is not disclosed.

As best seen in FIG. 6 and FIG. 7B, Applicant's separating claw prevents damage to the apparatus during assembly or when the claw is misaligned, reduces manufacturing costs, and prevents a gap from forming between the front end and the roller (7B). Thus, since Imaizumi et al. does not disclose each and every limitation of the amended independent claims, and the rejection of independent claims 1 and 6 under 35 U.S.C. § 102(b) is moot, and withdrawal of the rejection is requested.

Accordingly, amended claims 1 and 6, as well as their dependent claims (3-5 and 8-10) are now allowable. Additionally, newly added claims 11-14 are also allowable.

II. Rejections under 35 U.S.C. § 102(b) and 103(a) to Leo et al. patent

Claims 1-3, 5-6, and 8-10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Leo et al. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leo et al.

As stated above, Applicant has amended independent claims 1 and 6, to incorporate the limitations of dependent claims 2 and 7, respectively, as well as to clarify the scope of the claims, and asserts that these claims are now allowable.

In FIG. 5, the Leo et al. patent does not disclose a separating claw having a chamfered contact portion that angles downwardly between top and bottom surfaces. The Leo et al. patent, like the Imaizumi et al. patent, also discloses a separating member having a pointed tip, but, not a chamfered contact portion. As stated above, the chamfered contact portion advantageously enhances performance of the separating claw in a variety of ways.

With respect to claims 4 and 9, if Official Notice is being utilized to support the rejection, applicants respectfully traverse the Official Notice taken and requests evidence to substantiate the alleged motivations to modify Leo et al. as required under MPEP 2144.03. None of the prior art of record discloses that it is well known to make stainless steel separating claws and such unsupported allegation cannot be used to reject the claims. In the instant case, stainless steel material is important for lowering manufacturing costs to chamfer the separating claw.


Thus, independent claims 1 and 6 are also patentable over Leo et al. patent.

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In view of the above, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

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